

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1567

By: Cox

COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; creating the Pump Pirates Act; providing failure to pay for gasoline pumped into a vehicle shall constitute a misdemeanor; providing penalty; amending 47 O.S. 1991, Section 6-205, as last amended by Section 5, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1996, Section 6-205), which relates to mandatory driver license revocation; providing that conviction of failure to pay for gasoline pumped into vehicle shall result in revocation of driver license; specifying periods of time for revocations; providing for codification; providing for noncodification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Section 2 of this act shall be known and may be cited as the "Pump Pirates Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1740 of Title 21, unless there is created a duplication in numbering, reads as follows:

Any person who pumps gasoline into the gasoline tank of a vehicle and leaves the premises where the gasoline was pumped without making payment for the gasoline shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or confinement in the county jail for a period of not more than thirty (30) days, or by both such fine and imprisonment.

SECTION 3. AMENDATORY 47 O.S. 1991, Section 6-205, as last amended by Section 5, Chapter 309, O.S.L. 1996 (47 O.S. Supp. 1996, Section 6-205), is amended to read as follows:

Section 6-205. A. The Department of Public Safety shall immediately revoke the driver license or driving privilege of any person, whether adult or juvenile, upon receiving a record of conviction in any municipal, state or federal court within the United States of any of the following offenses, when such conviction has become final:

1. Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

2. Driving or being in actual physical control of a motor vehicle while under the influence of alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, or any violation of Section ~~4~~ 6-106.4 of this ~~act~~ title; provided, however, the Department shall not additionally revoke a license pursuant to this subsection if the person's driving privilege has been revoked because of a test result or test refusal pursuant to Section 753 or 754 of this title arising from the same circumstances which resulted in the conviction;

3. Any felony during the commission of which a motor vehicle is used;

4. Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

5. Perjury or the making of a false affidavit or statement under oath to the Department under the Uniform Vehicle Code, Section 1-101 et seq. of this title, or under any other law relating to the ownership or operation of motor vehicles; ~~or~~

6. A misdemeanor or felony conviction for unlawfully possessing, distributing, dispensing, manufacturing or trafficking in a controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes; or

7. Failure to pay for gasoline pumped into a vehicle pursuant to Section 2 of this act.

B. The first license revocation under any provision of this section, except for paragraph 2 ~~or~~ 6 or 7 of subsection A of this
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section, shall be for a period of one (1) year. Such period shall not be modified.

C. A license revocation under any provision of this section, except for paragraph 2 ~~or~~, 6 or 7 of subsection A of this section, shall be for a period of three (3) years if a prior revocation under this section, except under paragraph 2 of subsection A of this section, commenced within the preceding five-year period as shown by the Department's record. Such period shall not be modified.

D. The period of license revocation under paragraph 2 or 6 of subsection A of this section shall be governed by the provisions of Section 6-205.1 of this title.

E. The first license revocation under paragraph 7 of subsection A of this section shall be for a period of six (6) months. A second or subsequent license revocation under paragraph 7 of subsection A of this section shall be for a period of one (1) year. Such periods shall not be modified.

SECTION 4. NONCODIFICATION The provisions of Section 1 of this act shall not be codified in the Oklahoma Statutes.

SECTION 5. This act shall become effective November 1, 1997.

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